

REMARKS

Claims 1-24 are pending in this application. Claims 1-24 stand rejected. In light of the remarks set forth below, Applicant respectfully submits that each of the pending claims is in immediate condition for allowance.

Applicant notes that the Information Disclosure Statement filed February 23, 2004, has not been initialed and returned. For the Examiner's convenience, a copy of the PTO SB08 is included herein. Applicant respectfully requests the Examiner review the cited references, initial the PTO SB08, and return same to Applicant.

Claims 1-9, 13, 14, and 16-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant's admitted prior art in view of "A Fast Audio Classification from MPEG Coded Data" ("Nakajima"). Applicant respectfully requests reconsideration and withdrawal of this rejection.

The Office Action notes that Applicant's admitted prior art does not disclose a feature detection processing section extracting features of the audio information on the basis of the scaling factors outputted from the scaling section. In an effort to cure this noted deficiency in the admitted prior art, the Office Action includes Nakajima. However, this reference fails to cure the noted deficiency in the prior art.

According to the present invention, a feature detection processing section determines whether or not signal levels acquired at the signal-calculating section are less than or more than a predetermined threshold value. This feature detection process regards the sound signal interval and outputs a parameter as a sound signal interval. When the signal levels are less than the threshold value for one or more seconds, the feature detection processing section regards the interval as a soundless signal interval and outputs a parameter C as the soundless signal interval. This feature detection is not disclosed in Nakajima.

In Nakajima, MPEG compression is used to compress the audio stream. Three modules are used, a sub-filtering module, a psychoacoustic evaluation module and a bit allocation and frame packing module. The sub-band filtering module resolves the audio signal into special components or sub-bands of 32 equal width sub-bands. Each of these bands is sampled. For each 32 data samples, one output is produced for each of the 32 sub-bands. Next, acoustically irrelevant parts of the audio signal are removed. There is one psychoacoustic valuation per each frame of audio data. The audio data is masked using this evaluation which is then passed on to the encoder for bit allocation. In the bit allocation and frame packing module, the noise masking threshold is utilized for bit allocation for each of the audio frames in the sub-band. Each sub-band gets a different bit allocation depending on the noise masking threshold. However, at no time does Nakajima disclose utilizing a feature detection processing section based on scaling as explicitly recited in Applicant's claim. Therefore, Applicant respectfully submits that Nakajima fails to cure the deficiency in the admitted prior art noted in the Office Action.

Thus, claims 1-9, 13, 14, and 16-21 are allowable over the cited combination.

Claims 10-12, 15, and 22-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the prior art in view of Nakajima and "well known prior art." Applicant respectfully submits that claims 10-12, 15, and 22-24 depend from allowable independent claims. Therefore, these claims which contain patentable subject matter, are also allowable.

Applicant has responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is

respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

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Respectfully submitted,

By _____
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Attachment - PTO SB-08, filed February 23, 2004